

TAB 3

NewsBank InfoWeb

America's Newspapers

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Worcester Telegram & Gazette (MA)

December 19, 1996

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Index Terms:

MASS, STATES, GOVERNORS, PRISONERS, SENTENCE, PAROLE,
LISTS

WELD ASKS COUNCIL TO COMMUTE TERM OF MAN IN '65 PLOT

Dateline: BOSTON

Article Text:

The Associated Press

BOSTON - Gov. William F. Weld filed a commutation request yesterday for Joseph **Salvati**, who is serving a life sentence for his supposed role in a 1965 murder.

The Governor's Council delayed action until next month, when a public hearing will be held, although it did approve 17 other pardon requests made by Weld.

"He's not a risk of any kind," Weld said of **Salvati**.

Salvati, 64, a former North End resident, was convicted of two counts of conspiracy to commit murder and one count of being an accessory before the fact of murder in the March 12, 1965, shooting of Edward "Teddy" **Deegan**.

According to the Supreme Judicial Court, which rejected an appeal of **Salvati**'s conviction, he and four other men plotted to kill **Deegan** and Anthony Stathopolous for crimes committed against the Boston underworld.

Court documents said **Salvati** distributed guns and silk gloves to wear during the hits and then was to serve as a getaway driver. However, **Salvati** and two other men did not carry out their roles in the ambush because a police officer became suspicious when he encountered the group sitting together in a car.

Salvati and another man later learned of **Deegan**'s murder while they were at the Ebb Tide Restaurant in

Revere, it said.

In his appeal, **Salvati** said he had no involvement in plotting or attempting to carry out the hits. He said he knew most of the men only casually and that the one who later fingered him, Joseph (Barboza) Baron, had done so because **Salvati** still owed him money from a \$400 loan.

Baron was shot to death in San Francisco in 1976.

In May 1993, WBZ-TV reporter Dan Rea began a crusade on **Salvati**'s behalf. A lawyer, Rea had been told by the dean of the Boston University Law School that **Salvati** was wrongly imprisoned. He has since aired more than 30 stories on the case and in October he found three witnesses who attested to **Salvati**'s innocence.

"Joseph **Salvati** is an innocent man who has spent nearly 30 years behind bars," Rea said after attending yesterday's meeting of the Governor's Council.

In an interview, however, Weld said he was unaffected by the media coverage.

"On a commutation, what we look at is the prisoner's history, the degree of his involvement in the offense. Certainly if he had been the triggerman, it would have been quite different, which he was not," Weld said.

While Weld also said **Salvati** could become a candidate for a new trial as well as a commutation, he balked at saying whether he felt **Salvati** was innocent.

"I've been over the case exhaustively, but that's not for me to say," he said. **Salvati**'s request for a commutation has also been supported by Jack Zalkind, a Boston lawyer who prosecuted the murder case, and retired Detective Sgt. Frank Walsh of the Boston Police Department, who investigated the case.

Pardons allow the governor to clear a person's record and are typically used to expunge minor infractions for people who want to be police officers or other positions requiring an unblemished criminal record.

Commutations allow the governor to release a prisoner from jail by converting his sentence to time served. In **Salvati**'s case, Weld wants him to serve a year in a pre-release center before being freed.

Meantime, Weld has used his executive clemency privileges sparingly, granting only 33 pardons and six requests for commutations before yesterday.

During its meeting, the Governor's Council approved pardons for:

Perry Palladino, who was placed on probation six decades ago for a misdemeanor charge of being stubborn and delinquent, and also sent to a reform school in 1934 for breaking and entering and larceny in the daytime, a felony;

David Greenberg, who was convicted of misdemeanor assault and battery in 1988;

Michael Lewis, who paid \$50 in fines in 1972 for larceny and receiving stolen goods;

Sofia Stavropoulos, who had his case continued in 1982 for possession and attempted use of a stolen credit card;

Peter Asacker, who was involved in a variety of offenses dating from 1968 to 1974;

James W. Bibby, who was charged with larceny in 1950;

Stephen M. Bilodeau, who was convicted of three counts of carrying a dangerous weapon in 1987;

Mark E. Caron, who was found convicted of possession of a Class B substance in 1985;

Gail R. DelRosso, who was convicted of two counts of drug distribution charges in 1982;

Michael J. Fernandes, who received probation in 1988 for misdemeanor possession of marijuana;

Francis J. Fistori, who had his case continued for possession of a dangerous weapon in 1975;

Eduardo S. Henry, who received probation for felony larceny in 1975;

David C. Kinder, who was placed on probation in 1970 for felony breaking and entering in the nighttime;

Thomas A. Martell, who received a suspended sentence in 1962 for felony breaking and entering in the nighttime;

Douglas A. Medeiros, who was involved in a variety of offenses dating from 1969 to 1982;

Joseph W. Parent III, who was charged with larceny and misdemeanor assault and battery stemming from incidents in 1991 and 1992, and;

Michael J. Welch, who was charged with a variety of offenses in 1973.

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NewsBank InfoWeb

America's Newspapers

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Boston Globe

December 19, 1996

Edition: Third

Section: Metro

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Index Terms:

NAME-SALVATI

NAME-REA

GOVERNOR'S MOVE IS VICTORY FOR NEWSMAN

Author: Don Aucoin, Globe Staff

Article Text:

Dan Rea was literally on the edge of his seat yesterday in the Governor's Council chamber at the State House, intently watching the latest turn in a case on which he has staked his professional reputation.

The wait proved anticlimactic, since the council opted not to vote on whether convicted murderer Joseph L. **Salvati**'s prison sentence should be commuted. But Rea, a reporter for WBZ-TV (Ch. 4), had already notched a major victory when Gov. William F. Weld declared that **Salvati** deserved freedom.

Weld did not think that way three years ago. But then, Rea began burrowing into the Joe **Salvati** story, a saga in which Rea would move beyond the role of reporter to that of central player -- earning both praise and criticism along the way.

"Many people questioned my motives. I know there were people who said things behind my back," acknowledged Rea, 48. "But I did my homework on this. I had a number of filters through which Joe **Salvati** had to pass."

Rea aired more than 30 reports on Channel 4 that built a case for **Salvati**'s innocence. He located several witnesses who contradicted the testimony of Joseph (The Animal) Barboza, who fingered **Salvati** in the 1965 murder of Teddy **Deegan**, a small-time hood.

Some critics, including Suffolk District Attorney Ralph C. Martin 2d, have contended that Rea's reporting was one-sided. "He was an advocate for **Salvati** while he was supposed to report the story," Martin told the Globe in 1994.

Rea does not deny that he came to believe passionately in **Salvati**'s innocence, but insisted that he used only facts to make that case.

"As a lawyer and a reporter, I feel it's my obligation to bring to the attention of the public whatever injustice I believe exists," said Rea, who stressed that much credit should also go to Victor Garo, the attorney who pursued **Salvati**'s case on a pro bono basis.

Though Weld did not say yesterday that he agrees with Rea about **Salvati**'s innocence, it is doubtful that the governor would have reversed a previous decision against commutation without Rea's insistent on-air prodding.

When Rea went to interview **Salvati** yesterday in prison, it was "a pretty emotional moment," he said. "There was a smile across his face as wide as the Atlantic Ocean," said Rea. "It's a moment every reporter should experience.

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http://docs.newsbank.com/openurl?ctx_ver=z39.88-2004&rft_id=info:sid/iw.newsbank.com:NewsBank:BGBK&rft_val_format=info:ofi/fmt:kev:mtx:ctx&rft_dat=0EADDC81C2DBD9D4&svc_dat=InfoWeb:aggregated3&req_dat=0FDE2001B5292DD8

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America's Newspapers

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Boston Globe

December 19, 1996

Edition: Third

Section: Metro

Page: B1

Index Terms:

NAME-SALVATI

SENTENCE

PRISON

WILLIAM WELD

WELD SEEKS CLEMENCY FOR SALVATI REQUEST TO COMMUTE CONVICTED KILLER'S TERM IS REVERSAL FOR GOVERNOR

Author: Don Aucoin, Globe Staff

Article Text:

Choosing a case in the media spotlight for a rare show of clemency, Gov. William F. Weld yesterday recommended that the prison sentence of convicted murderer Joseph L. **Salvati** be commuted.

It was only the sixth time Weld has urged the commutation of a prison sentence since he became governor in 1991. Weld's decision represented a reversal of his own position just three years ago, when he rejected the Advisory Board of Pardons' recommendation that **Salvati**'s sentence be commuted.

But that same year, 1993, WBZ-TV (Ch. 4) reporter Dan Rea launched a journalistic crusade to free **Salvati**, a former mob henchman and North End resident who was convicted of involvement in a 1965 gangland slaying in Chelsea. Since 1993, Rea has aired more than 30 reports that he says prove **Salvati** has spent 28 years in prison for a crime he did not commit.

The Governor's Council, which has final say over commutation decisions, postponed a decision on Weld's recommendation until next month. Before the council votes, a public hearing will be held.

Weld denied that his action resulted from the pressure created by the TV reports on **Salvati**'s case. Instead, he said, he based his action on his "exhaustive" look at the case over the past few years, **Salvati**'s conduct in prison, and the limited role of **Salvati**'s involvement in the 1965 gangland murder.

"Certainly, if he was the triggerman, it would have been quite different," Weld said. "But he was not. He was sitting in the back of the car."

Weld said **Salvati**, who has been in prison since his conviction as an accessory in the slaying of Edward (Teddy) **Deegan**, has been "a model prisoner" who has successfully completed several furloughs.

"He's been incarcerated for 28 years now," said Weld. "He's not a threat or a risk at all."

Weld, a former US attorney, even went so far as to imply that he disagreed with the decision last year by the Supreme Judicial Court not to grant a new trial to **Salvati**. But when asked whether he believes **Salvati** is innocent, Weld sidestepped the question, saying, "It's not for me to opine on that point in the context of the commutation recommendation."

Neither **Salvati**'s wife, Marie, nor his attorney, Victor Garo, could be reached for comment. But a smiling **Salvati**, in a Channel 4 interview with Rea at the Bay State Correctional Center in Norfolk, said, "It's coming to an end. The governor won't be sorry he signed those papers."

At the time of his murder, **Deegan** was a small-time hood who had made the mistake of crossing mob bosses. Joseph (The Animal) Barboza, a notorious mob hitman, masterminded the killing in a Chelsea alley on the night of March 12, 1965.

But no one was charged in the crime until two years later, when Barboza entered the federal witness protection program. He then told authorities that he and five other men carried out the murder, including **Salvati**, who Barboza claimed had driven one of the getaway cars.

Largely on the strength of Barboza's testimony, **Salvati** and the others were convicted in **Deegan**'s murder in 1968 and sentenced to life in prison without parole.

In 1993, after Rea shone a spotlight on the case, **Salvati** and two others convicted in the slaying, Peter J. Limone and Louis Grieco, sought new trials. **Salvati** claimed that prosecutors suppressed a police report that would prove him innocent, while Limone and Grieco argued that their convictions stemmed from false testimony by Barboza, who was shotgunned to death in San Francisco in 1976.

Suffolk District Attorney Ralph C. Martin 2d opposed the request for a new trial, arguing that the attorneys for the trio were trying to "rewrite history."

Then, in June 1995, the Supreme Judicial Court denied new trials for **Salvati**, Limone and Grieco. "There is nothing else to discuss," Martin said then. "The guilty people are behind bars."

Yesterday, Martin released a statement reiterating his view that "seeking a commutation of sentence was perhaps the wiser route" for **Salvati**, because the legal grounds for a new trial did not exist.

The attorneys who represented Grieco, who has since died in prison, and Limone could not be reached for comment yesterday. Members of the **Deegan** family could not be reached.

Weld's specific recommendation yesterday was that **Salvati**'s prison sentence be commuted to a term of 33 years to life, which would result in **Salvati** being eligible for parole after serving one year in a pre-release center.

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Boston Herald

February 23, 1997

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Section: TV Magazine

TV PLUS

Stand by your man

Dan Rea's four-year pursuit of one story raises ethical questions -- but would Joe Salvati be a free man if he hadn't?

Author: Daniel M. Kimmel

Article Text:

Should a TV-movie be made about the 30-year battle to free Joseph **Salvati** from prison, the two leading roles will be that of **Salvati** and of the lawyer who has worked for more than two decades on the case, Victor J. Garo. The key supporting role in the story belongs to Dan Rea, the WBZ (Ch. 4) reporter who some say turned the story into a crusade, and who continued until the state finally commuted **Salvati**'s sentence earlier this month.

"I didn't start out with the intention of putting a spotlight on an injustice," recalled Rea, "I was simply raising questions."

The short version of what happened is this: On the night of March 12, 1965, Edward **Deegan** was murdered in a Chelsea alleyway in a gangland hit among mobsters. Two years later, **Salvati** was arrested for being a party to the crime. Convicted murderer Joseph "The Animal" Barboza testified that **Salvati** was in one of the cars used in the murder. Based solely on Barboza's claims, **Salvati** was convicted.

"If there were any other testimony, I probably wouldn't have touched the case," said Rea.

Why Barboza would finger an innocent man remains a mystery, but theories range from Barboza's wanting to protect a guilty friend to his getting even with **Salvati** for an unpaid \$400 loan. However, because Barboza was a key witness in several organized crime trials -- he subsequently entered the witness protection program before being slain in 1976 -- the government was loathe to have his testimony discredited in the **Salvati** case.

Rea's involvement came relatively late. It was in January 1993, when Governor William Weld denied a commutation of **Salvati**'s sentence that attorney Garo reached out for help.

"At that point, I knew I had to get support from the media and the press," said Garo, who asked Ronald

Cass, dean of Boston University's School of Law, if he had any contacts. Cass contacted Rea who, like Garo, is a BU Law alumnus.

"I had not really known Dan before that," recalled Cass, who hoped merely to get a hearing for Garo. Rea agreed to the meeting, but told Cass that "usually these things don't pan out." He became even more wary when Garo began by talking about "the most unbelievable miscarriage of justice in the history of the Commonwealth."

Said Rea, "I looked for the door, but Dean Cass was sitting there."

Rea began studying the record of the case, sitting amidst piles of paper while on a beach vacation with his family. "As the answers came back, I became more and more interested," he said.

Over the next four years, Rea would report more than two dozen times on the **Salvati** case. Critics and some colleagues charged that Rea crossed the line from reporter to advocate. A 1994 Boston Globe story on Rea's involvement was headlined, "Dan Rea's Mission Impossible."

Rea's not only put a spotlight on a case that wasn't getting any attention, he helped generate new evidence proving **Salvati's** innocence.

Garó had come across a photocopy of a 1965 police report in which an eyewitness to the murder listed the people there. **Salvati's** name was not mentioned, although another Barboza associate was. Using his contacts in the Chelsea Police Department, Rea unearthed the original document. Neither the prosecution nor the defense at **Salvati's** trial had ever seen it.

Rea's reports also got several new witnesses to come forward. Some had already spoken to Garo but hesitated to go public, while at least another might not have surfaced at all.

A story based on Rea's reports appeared on the "CBS Evening News" and was seen in Arizona by Dee Wilson, the widow of one of Barbosa's victims. She is an eyewitness not only to that murder but to Barbosa's threats, which included bragging about how he had falsely set up **Salvati**'s conviction. After the newscast, Wilson started frantically calling Boston trying to reach Rea and Garo, to get her story heard.

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Although **Salvati**'s sentence is finally commuted, many issues remain unresolved. For journalists, one such issue is whether Rea was right to become **Salvati**'s advocate on the air. Rea was even called as a witness at the commutation hearing while he was covering it, which he admitted put him in an "awkward position."

Bill Aber, WBZ's general manager and a former news director himself, was blunt, "Advocacy journalism in my mind -- as a general rule -- is wrong."

However, there is a tradition of the crusading journalist uncovering a terrible wrong, and Aber has no doubt that "what Dan did is in the traditional form." Still, he added, "There are not many stories like this."

Peter Brown, the station's current news director, notes that Rea worked the story hard, even during long stretches where nothing aired. "Danny's a pit bull when he sinks his teeth into something," said Brown

admiringly, "He doesn't let go."

Rea admits that he was taking a risk crossing the line, and it meant that the already methodical reporter had to be extra careful.

"There were several witnesses who came forward who were false witnesses who never went on television," said Rea, "All I needed to do was put on one bad witness and I was off the story, and **Salvati** was in jail for the rest of his life."

Manny Paraschos, professor of journalism at Emerson College and co-publisher of "Media Ethics," a bi-annual journal, agreed, "Taking sides is always a very delicate issue in journalism. We try to stay away from that."

Paraschos said that Rea seems to have acted responsibly, but he warns, "If this becomes a standard practice, someone less experienced will surely screw things up."

Perhaps the final judgement in this instance should go to **Salvati's** legal representative, who after 21 years and more than 15,000 free hours of legal work, was asked to sum up Rea's contribution.

According to Garo, "If Dan Rea had not become involved and become our voice, Joe **Salvati** would have died in prison."

No doubt helping to get an innocent man out of prison -- through stories that have never been successfully challenged for their accuracy -- means far more to Rea than those critics who wonder if, perhaps, he went too far.

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